

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JUSTIN GARDNER,

Petitioner,

vs.

STATE OF NEBRASKA,

Respondent.

**8:18CV46**

**ORDER**

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After careful review,

IT IS ORDERED that the notice (Filing 123) (regarding Filing 118) construed as a motion to appeal in forma pauperis is denied as it is not taken in good faith. No certificate of appealability will be issued. The Clerk shall not process the appeal but shall send a copy of this Order to the Clerk of the Court of Appeals and Mr. Gardner.

Dated this 1<sup>st</sup> day of June, 2021.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge